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7 JAMAICA HAMPTON,
8 Plaintiff,
9 v.
10 CHRISTOPHER FLORES,
11 Defendant.

Case No. [21-cv-09407-SK](#)

ORDER ON DISCOVERY DISPUTE

Regarding Docket No. 44

12 Now before the Court is the parties' discovery dispute in which Plaintiff Jamaica Hampton
13 moves to compel the transcript and/or the recording of the interview Defendant Christopher Flores
14 had with the San Francisco Department of Police Accountability ("DPA"), which Plaintiff sought
15 by way of a third party subpoena against the City and County of San Francisco ("San Francisco").
16 San Francisco claims the protection of the official information privilege but nonetheless agrees to
17 provide this information when the investigation by the DPA has concluded. Plaintiff claims that
18 San Francisco waived the privilege by failing to provide a privilege log, but the Court finds that
19 San Francisco did not waive that privilege.

20 The Court ORDERS San Francisco to provide a copy of any transcript or recording of the
21 interview of Flores by the DPA when that investigation concludes. San Francisco estimates that
22 the investigation will end in early 2024. San Francisco must provide an update to the Court by
23 January 31, 2024 of the status of the investigation. Plaintiff may renew her motion to compel after
24 January 31, 2024 if San Francisco has not concluded its investigation by that time.

25 **IT IS SO ORDERED.**

26 Dated: November 27, 2023

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28 SALLIE KIM
United States Magistrate Judge

United States District Court
Northern District of California

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